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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/120,806	07/23/98	KIKUSHIMA	101151
			EXAMINER
		MM12/0114	
OLIFF AND BERRIDGE P O BOX 19928 ALEXANDRIA VA 22320		BUDD, M	ART UNIT PAPER NUMBER
2834			DATE MAILED: 01/14/00

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 12-14-99

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-6, 8, 10-13 and 15-22 and 30-37 is/are pending in the application.
Of the above, claim(s) 30-37 is/are withdrawn from consideration.
☐ Claim(s) _____ is/are allowed.
☒ Claim(s) 1-6, 8, 10-13 and 15-22 is/are rejected.
☐ Claim(s) _____ is/are objected to.
☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
☐ The specification is objected to by the Examiner.
☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.
☐ received in Application No. (Series Code/Serial Number) _____
☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
☐ Interview Summary, PTO-413
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

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Claims 1-6, 8, 10-13 and 15-22 are rejected under 35 USC 103 as being unpatentable over Negita (British) in view of Nagai for the specific reasons set forth in paper no. 10(9-14-99).

Regarding applicants comments it is noted that Supervisory Patent Examiner Ramirez does not recall any agreement re future rejoinder of method claims 30-37 beyond any criteria that may be outlined in the MPEP.

Although Negita does not explicitly teach the opening in the ceramic housing being metalized a hermetic adhesive material #15a (fig. 3) is used to join the ceramic housing to the glass closure. A well known means of providing a hermetic seal is to use metal, e.g. solder as the adhesive material. (See e.g. Hata and Hafner of record). Thus as noted in the first office action, providing a metal layer to hermetically seal glass/ceramic, ceramic/ceramic, and glass/glass surfaces is standard practice. Clearly the windows of Nagui are thru holes.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

~~MARK O. BUDD~~
PRIMARY EXAMINER
ART UNIT 212

Budd/dc
January 12, 2000